

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,

Plaintiff/Counter-
Defendant,

v.

ILLUMINA, INC.,

Defendant/Counter-
Plaintiff.

C.A. No. 04-901-JJF

NOTICE OF SUBPOENA OF DR. MARK CHEE

PLEASE TAKE NOTICE that the Subpoena attached hereto as Exhibit 1 will be served upon Dr. Mark Chee, Prognosys Biosciences, Inc., 4215 Sorrento Valley Blvd., Suite 105, San Diego, CA 92121.

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/s/ Melissa Stone Myers

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January 18, 2006

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2006, I electronically filed the foregoing Notice of Subpoena of Dr. Mark Chee using CM/ECF which will send notification of such filing(s) to the following:

Richard K. Herrmann
Morris, James, Hitchens & Williams LLP

I also certify that copies were caused to be served on January 18, 2006 upon the following in the manner indicated:

BY HAND

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